(1)

Supreme Court, U.S.
FILED

SEP 1 1995

OFFICE OF THE CLERK

No. 95 411

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1995

GENE FLINN, ESQ., ET AL.,

Petitioners,

v.

AMERICAN HOME ASSURANCE COMPANY,

v.

AMERICAN INTERNATIONAL INSURANCE GROUP, AMERICAN INTERNATIONAL GROUP, ET AL.,

Respondents,

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

PETITION FOR A WRIT OF CERTIORARI

THE GENE FLINNS / Unit
In Proper Persons
5100 SW 87 Avenue
(Galloway Road)
Miami, Florida 33165
(305) 274-0033
(305) 852-8100 (Keys)

August 30, 1995

22 pp

QUESTION PRESENTED

Whether constitutional guarantees afforded a federal officer and a class associated in law enforcement are being violated by purchased crime and violence to their persons.

Whether the civil rights of a federal officer and those associated in family/Unit for the practice of law are being abridged by purchased state action to quell investigative authority under the Equal Protection Clause.

LIST OF PARTIES

The parties to the proceedings at the pleading stage were the Petitioners and the Respondents.

The Petitioners requested co-counsel upon the Judge dismissing the class action (for jury) counterclaim and after the Sounding had switched the Respondent's 'deck' trial to the non jury calendar. Based upon being high profile, the Liberty Lobby was solicited to intervene by Petitioner/Unit.

The Respondents, as added, continued to be represented by Robert Klein.

TABLE OF CONTENTS

QUESTION PRESENTED	i
LIST OF PARTIES	ii
TABLE OF CONTENTS	111
TABLE OF AUTHORITIES	iv
OPINION BELOW	1
JURISDICTION	1
PROLOGUE TO STATEMENT OF CASE	3
STATEMENT OF PRECIPITATING EVENTS AND THE CASE	5
ARGUMENT AND REASONS FOR GRANTING THE WRIT	11
CONCLUSION	14
APPENDIX	15
THE ELEVENTH CIRCUIT DISMISSED APPEAL AS MOOT, AND DENIED APPELLANT'S REQUEST FOR FEES	15

TABLE OF AUTHORITIES

UNITED STATES CONSTITUTION

Equal Protection Clause i

STATUTES

18 U.S.C. §2 8

18 U.S.C. §1962(c) 13

28 U.S.C. §546 5

28 U.S.C. §2101(c) 1

28 U.S.C. §2101(d) 2

FEDERAL RULES OF CIVIL PROCEDURE

Rule 12(b)(6) 9

CASES

International Union, UMWA v. Bagell, et al., 114 S.Ct. 2552 (1994) 12

N.O.W. v. Scheidler, 310 U.S. _____, 127 L.Ed.2d 99, 114 S.Ct. 798 (1994) [62 USLW 4073] 11

U.S. v. Spiro Agnew, [Citations omitted] 13

The Petitioners pray that a Writ of Certiorari issue to review the judgement and opinion of the United States Court of Appeals for the Eleventh Circuit entered in the above entitled proceeding April 19, 1995.

OPINION BELOW

The Opinion of the Court of Appeals for the Eleventh Circuit Court is unpublished and is reprinted in the appendix hereto.

JURISDICTION

This Court has jurisdiction based upon constitutional questions under the Fifth and Fourteenth Amendments to the United States Constitution. This Petition for Writ of Certiorari is filed under the provisions of 28 U.S.C. 2101(c)

and (d). The petition has been filed within the time allowed by law.

PROLOGUE TO CASE STATEMENT

It is contemplated that indictments issuing from a Grand Jury impaneled outside this geographical Circuit will, in the follow-up, connect this multi-national to acts found to deflect, to derail, and/or to obstruct Law Enforcement. The AIG has on a continuing basis interacts (illegally) with the international (illicit) drug traffickers to promote such activity.

Heretofore, the Unit/Flinns performed a public service in setting ESMers' RICO depositions (of Arky and Greer referencing their plundering S&Ls) in July of 1985 as coordinated with the Marshals' service of process initiated through the State of Ohio Special Prosecutor.

Here, Petitioner had sought, prior to the Respondent unilaterally

aborting the scheduled trial, to adduce testimony for grand jury follow up revealing such trade existed, and was (is) in-house directed on a national and international scale, which depositive depositions were summarily quashed in deference to the interest of the United States.

STATEMENT OF PRECIPITATING EVENTS AND THE CASE

By 1990 members of the U. S. Senate Judiciary Committee were in a quandary ... not wanting to confirm Dexter Lehtinen as U. S. Attorney, about whom it was known to be operating a protection racket for the South Florida centered (internationally connected illicit) drug trade. However, his wife was (is) a Congresswoman. The Petitioner was chosen as he had been selected out five (5) years before by the Washington Office of Pepper, Hamilton & Scheetz in running Bork's South campaign and thereupon received specific instructions from Washington, D.C. to "upset [Lehtinen's] the apple cart", who had (heretofore) existed in office on [28 U.S.C. §546] 'recess appointments'. The Flinns in filing

a 'deck' lawsuit successfully carried out Senatorial (ouster) intent and by mid 1992, Lehtinen capitulated in a forced resignation ordered by Bush's successor (after Meese) AG on board, William Barr.

In a continuum of acts for white collar initiated violence and reprisals 'reverse targeting' the Flinn Family Members for reason of their integrated (public) service endeavors, a Stuart Z. Grossman, who was (and is) the (Florida) Bar's Cali Controlled Contact, precipitated 'a Reichstag incident' by appropriating the $900,000.00 Penafiel verdict/Claims Bills from Petitioner's law office through a Bar condoned practiced fraud. This contrivance was part and parcel of the overall objective to posture the Federalist Flinns for 'another (such) Court orchestrated

hit' by (then) frivolously suing for malpractice. The racketeering arrangement with Respondent would thereby invoke AIG's assistance in a final solution leading to the ruination of this Enforcement Member and his Law Office recognized Unit through its (only) reachable licensed leader (Gene Flinn, Esq.). The result was to destroy totally his [their] continued case by case expose' approach as effective adversaries to the South American drug lords, who had, during the decade of the '80s, successfully compromised Public integrity in infiltrating key Constabulary positions and those in <u>this</u> (Lehtinen run) U. S. Attorney's Office.

While the case is before the Circuit and without obtaining that Court's leave, the Respondent files pleadings before the District Judge

in order to precipitate a comity disbarring of Petitioner at the District (Court) level, which was a follow up to the tender Lehtinen made with the Federal Judges in 1991. Respondent's push to trigger such an order resulted in one being entered without a notice or a hearing disbarring Petitioner on October 24, 1994. This was, in effect, a cover for the District Judge who had issued an obviously reversible order on the eve of the scheduled trial to foreclose evidence of Respondents' connection and 18 U.S.C. §2 collaboration with Cali. That so-called mootness Order reciting the wrong rule was based upon exparte conversations determined to have occurred in the Eleventh Hour, to wipe out of Petitioner's billable to a $185,000.00 entitlement fee

with which the Unit would have been able to utilize for a Cartel break through. This had followed a 12(b)(6) dismissal of an U.S. agency integrated public service instituted class action counterclaim grounded upon the Respondents' kiting of its subsidiary's insurance rates while Hurricane Andrew posed an immediate coastal threat to Florida. In the sequel appellate round Respondent, now with the federal disbarment in place, avoids any further court contact, including [its] attendance at a noticed appearance for the depositive deposition of Patricia Marshall Smith, who is herself, as an active Unit member, a victim and as well of an attempted assassination/murder via an assailant's utilized 45 calibre weapon on June 27, 1993. Moreover, Smith had advised the President not to nominate ESMer

Bruce Greer, who had been pushed continuously for this District's Court vacancy for over three (3) years by Cali, Grossman, and his resolution passing Florida Bar Board, though Greer lacked an ABA endorsement.

For a sequel to the aforementioned scenario, Petitioner's Galloway Road residence is fire bombed in an unsuccessful attempt to burn up his son, Walter, and himself. This is followed up with assailants noticed on the premises. In a change of tactics the Florida Bar rejects Walter Flinn's admission in 1991 for reason of Petitioner's 1991 Disbarment. In view of what had taken place at the abortion clinics, the FBI approves the family's possession of small calibre weaponry as a first line defensive measure, pending appeals.

ARGUMENT AND REASON FOR GRANTING WRIT

The events as gleaned from the presented factual scenario and as formally charged strikes a parallel a fortiori to the given facts with likewise accompanying violence in (another) case where the Court accepted Certiorari, and subsequently finds a jurisdictional basis for a Remand, viz., N.O.W. v. Scheidler, 510 U.S. ____, 127 L.Ed.2d 99, 114 S.Ct. 798 (1994) [62 USLW 4073]. Add to this, Petitioners are public service officers for national endeavors meeting worldwide and (now) intensified concerns in which Respondent/affiliates are perpetrators. Prioritized on Petitioners' list being that of foreign based terrorism and Drug trafficking; Petitioners have assisted in investigations and rendering legal

counsel to the SEC, the Federal Home Loan Board, the Bureau, the IRS/CID; and, at times, combined with State Law Enforcement. Also factor in Respondents' bribe to an officer for 'State Action' who is a member of the Governing Board which is a designated ARM of a State Supreme Court, which, upon advice, delays action to disbar Petitioner for a media blitz during Petitioners' engaging with Patricia Ireland's Swiss No. KL750507 funded coalition in a February 1991 (jury) trial; rejects his son's admission contemporaneously in terminating both legal careers, and slaps on Family/Unit an unnoticed heavy fine. Compare, International Union, UMWA v. Bagwell, et al., 114 S.Ct. 2552 (1994) Certiorari granted. (decided June 30, 1994).

Such reported act(s) have historically begun on the State level and unceremoniously follows the politician, in league with the [18 U.S.C.] Section 1962(c) enterprise, to the very highest of elective office, e.g. U.S. v. Spiro Agnew, [Citation omitted]. The combination of a multi national concern in various racketeering grouping given to trafficking; participating in violent crimes, and the thing of value giving to public officers (in charge) to derail further investigative probing for its continuous bilking/defrauding of the public are all legally found indicia to be underscored in this case for the Court's consideration.

CONCLUSION

The Court in determining jurisdiction exists should therefore remand ordering the class Civil Rights' action reinstated; enter an order for Petitioners' entitlement to fees/costs, and, further, lift (reverse) the accompanying disbarment which was procured and imposed upon the lead Petitioner to obstruct Justice in drug related prosecutions.

WHEREFORE, it is respectfully prayed that this Honorable Court grant Petitioners' meritorious request for issuance of a Writ of Certiorari, and to set a briefing schedule.

It is submitted this the 30th day of August, 1995.

THE GENE FLINN FAMILY, et al.,
5100 SW 87 Avenue (Galloway Road)
Miami, Florida 33165

Patricia Marshall Smith

PATRICIA MARSHALL SMITH
('Strike Force')

APPENDIX

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

FILED
United States Court of Appeals
Eleventh Circuit

Docket NO. 94-4730

D.C. No. 91-2328-CIV-MORENO

AMERICAN HOME ASSURANCE COMPANY,

Plaintiff-CounterDefendant-Appellee,

v.

GENE FLINN, ESQ., GENE FLINN, P.A.,

Defendant-Counterclaimant-Appellant,

v.

CINDY BASTIEN; AMERICAN INTERNATIONAL INSURANCE COMPANY; AMERICAN INTERNATIONAL GROUP,

Counter Defendants.

ORDER

Entered April 19, 1995

Before ANDERSON, DUBINA and CARNES,

Circuit Judges.

BY THE COURT:

Appellant filed this appeal from the district court's orders granting appellee's motion to supplement the record in appellant's earlier appeal, our case No. 93-4948. A jurisdictional question was issued because this Court had also granted appellee's motion to supplement the record, and it appeared that this appeal was moot. Moreover, in an order filed February 7, 1995, this Court affirmed the district court's judgment in case No. 93-4948. Accordingly, this appeal is DISMISSED AS MOOT. Appellant's request for fees is DENIED.

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1995

NO. _____

FLINNS, ET AL.,

Petitioners,

v.

AIG, ET AL.,

Respondents.

SERVICE OF WRIT

I, GENE FLINN, do state that on Friday, September 1, 1995, in compliance with Supreme Court Rules 29.3 and 29.4, I mailed the attached PETITION FOR A WRIT OF CERTIORARI to Respondents' Counsel by placing the document in an oversized manila envelope and deposited same in the U. S. Mail with the appropriate first-class postage prepaid at the Miami Ludlum Post Office addressed to:

Robert Klein, Esq., Lead Counsel
Two Datran Center, PH I & II
9130 South Dadeland Boulevard
Miami, Florida 33156

GENE FLINN Lead Petitioner